

REMARKS

Claims 29 and 30 have been cancelled without prejudice. Claims 26-28 have been amended to further clarify the claimed invention.

Claims 26-28 have been rejected as anticipated by Bolgiano. Bolgiano discloses a system for geolocating a CDMA mobile phone based on the time difference of arrival of CDMA communication signals. Note that in order for the mobile phone to receive the CDMA communication signal, the CDMA mobile phone must be synchronized to the CDMA Transfer Station. (Col. 13, lines 25-43).

Claim 26 as amended, recites the limitation, *inter alia*, that the reference signals are transmitted from a second communication system which is different than the first communication system in which the mobile appliance is operatively communicating. In Bolgiano, the mobile phone is operatively communicating with a CDMA Transfer Station and is also receiving reference signals from the CDMA Transfer Station, and thus the mobile phone and the CDMA Transfer Station are both in the same communication system. Clearly, there is no disclosure of a second communication system for providing reference signals to the mobile phone as required by Claim 26. Reconsideration and allowance of Claim 26 is requested. Claim 27 depends from Claim 26 and is therefore allowable with Claim 26 without recourse to the further patentable limitations recited therein.

Claim 28 as amended recites the limitation, *inter alia*, that the mobile appliance is not synchronized with the sources transmitting the reference signals. In Bolgiano, the

CDMA mobile phone is synchronized with the CDMA Transfer Stations.

Reconsideration and allowance of Claim 28 is requested. New Claim 38 depends from Claim 28 and is therefore allowable with Claim 28 without recourse to the further patentable limitation recited therein.

Reconsideration and allowance of Claims 26, 27, 28 and 38 is requested.

Respectfully submitted,

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